



71A

# City of El Segundo

Mayor Mike Gordon

## Elected Officials:

Mike Gordon,  
Mayor  
Sandra Jacobs,  
Mayor Pro Tem  
Nancy Wernick,  
Council Member  
John G. Gaines,  
Council Member  
Kelly McDowell,  
Council Member  
Cindy Mortesen,  
City Clerk  
Ralph Lanphere,  
City Treasurer

## Appointed Officials:

Mary Strenn,  
City Manager  
Mark D. Hensley,  
City Attorney

## Department Directors:

Jeffrey Stewart,  
Assistant City Manager  
James Hansen,  
Community, Economic and  
Development Services  
Bret Plumlee,  
Finance Director  
Craig Pedego,  
Fire Chief  
Debra Brighton,  
Library  
Timothy Grimmond,  
Police Chief  
Andres Santamaria,  
Public Works  
Greg Johnson,  
Recreation & Parks

[www.elsegundo.org](http://www.elsegundo.org)

October 18, 2000

Ms. Jane Garvey, Administrator  
Federal Aviation Administration  
800 Independence Avenue SW.  
Washington, D.C. 20591

VIA FAX# 202 267-5047  
VIA FEDERAL EXPRESS  
9429816351

Dear Administrator Garvey:

This letter is in response to the FAA's solicitation for comments regarding helicopter noise impact in urban areas, preparatory to your report to Congress, required under the Wendell H. Ford Aviation Investment and Reform Act.

This City fully supports the concept that the operating "floor" for helicopters should be the same as for fixed wing aircraft, as described in FAR Part 91. We believe public safety aircraft should be exempt from this "floor" as pursuit of their duties may require.

The proliferation of helicopter activity, including news media, land development, and recreational use, is having an increasingly negative impact on urban residents. The effect of the increasing number of flight operations is compounded by the fact that these "light" aircraft do not have to comply with Part 36 noise standards. As a result, the distinctive, loud noise created by helicopter aircraft is disruptive to school, church, social, and emergency activities on the ground. Perhaps the last safety issue is most important. There have been recent incidents in the Los Angeles area wherein the proximity of low flying, noisy media helicopters has impeded radio communication by police and fire personnel.

The issue of safety brings to mind the matter of helicopter emergency operations. A catastrophic failure experienced at 1,000 - 2,000 feet AGL provides a helicopter pilot with far more time to deal with his emergency and to select a suitable landing site than one experienced at 500 feet AGL.

We are aware that this proposed change will not be an easy task for the FAA. We know that raising the operating "floor" for helicopters will have a domino effect, requiring your Administration to initiate other changes in air space use and procedures. However, this change will provide for safer, less disruptive, and more neighborly helicopter operations.

Sincerely,

Mayor Mike Gordon

350 Main Street, El Segundo, California 90245-3895  
Phone (310) 524-2302 FAX (310) 322-7137

STUART AND SANDI KART  
4567 GREENBUSH AVENUE  
SHERMAN OAKS, CA 91423  
PHONE 818-905-7420  
FAX 818-907-6755

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 OCT 19 P 2:03

October 18, 2000

72

Office of Chief Counsel  
Docket 30086  
Federal Aviation Administration  
800 Independence Avenue S.W.  
Washington, DC 20591

Re Helicopter Noise - Docket 30086

Dear Ladies and Gentlemen:

We are homeowners in a densely populated area (Sherman Oaks, California). We live just south of the 101 Freeway, a route heavily traveled by helicopters as early as 5:00AM. We are responding herewith to questions asked by the FAA.

1. The types of helicopters that elicit a negative response are predominately those used by the Media. The various TV and Radio Stations compete with each other and this results in the possibility of dozens of helicopters in the air all chasing, or fabricating, the same story. Since there is no curfew these helicopters departing from the Van Nuys Airport, fly low over our rooftop as early as 5:00AM.
2. The air traffic control procedure that should be implemented would be an 11:00PM to 7:00AM Curfew.
3. We submit that Police, Emergency Medical and Military helicopters not be placed under any restrictive air traffic control procedures.
4. Recommended solutions to deal with the behavior of parties who operate the helicopters mentioned in (1) above are:
  - (a) The Curfew mentioned in (2) above.
  - (b) Sharing the news as may be provided by one helicopter.

(c) In the case of traffic reports, feeding off the information already available from CalTrans.

One final thought. The businesses that thrive off the rental of helicopters for Media use will, when faced with restrictive action, urge that a lengthy Study be made before action is taken. Their strategy is to postpone and delay any restrictive air traffic control procedures and, with time on their side, to hope that the helicopter noise problem becomes a non-issue.

We urge the Office of Chief Counsel to give serious attention to the fact that safety and privacy issues should override the economic objectives of the helicopter operators.

Very truly yours,

  
Stuart L. Kart

**Officers**

**President**  
Richard H. Close  
**Vice President**  
Matt Epstein  
**Vice President**  
Jules Feir  
**Treasurer**  
Charles Betz  
**Secretary**  
Rose Elmassian



**SHERMAN OAKS HOMEOWNERS ASSOCIATION**

POST OFFICE BOX 5223  
SHERMAN OAKS, CALIFORNIA 91413  
Information: (818) 377-4590  
[www.latimes.com/soha](http://www.latimes.com/soha)

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Matt Epstein  
Jules Feir  
John Isen  
Barbara Kramer  
Fred Kramer  
Marshall Long

Founded in  
1964 15th October 2000

Federal Aviation Administration,  
Office of Chief Counsel,  
Attn: Rules Docket, Docket No. 30086  
800 Independence Avenue, SW., Room 915H  
Washington, DC 20591.



**Director Emeritus**  
Carmen Knight

RECEIVED  
OCT 17 2 28 PM '00  
FEDERAL AVIATION  
ADMINISTRATION  
WASHINGTON, DC

RE: FAA Report to Congress / Section 747 of the Authorization Act  
Helicopter Noise Questionnaire

I am a representative of the Sherman Oaks Homeowners Association, a suburb of the city of Los Angeles, California. Our community is located 3 miles south of the Van Nuys Airport. We are heavily impacted by helicopter noise that is not emergency, police or fire helicopter driven. As such, it is with great interest that I respond to the questions from your web site on this matter.

1. *What are the types of helicopter operations (law enforcement, electronic news gathering, sightseeing tours, etc.) that elicit the negative response by individuals in densely populated areas?*

Low flying media helicopters that depart and fly before 7am in the mornings and 10 pm in the evenings, often just to provide traffic reports that are unnecessary as there are well established cameras and electronic measuring systems installed and imbedded along the Freeway system providing the same information on traffic flows. Even traffic airplanes are quieter. It is also important to note that ALL of these helicopter aircraft have the technology to get the same "close" video image from great distances and should be forced to fly considerably higher than they do now.

2. *What air traffic control procedures are applicable in addressing helicopter noise reduction? Why?*

Restrict their flying times to after 10 pm and before 7 am. Take offs and landings should be implemented only when the helicopters destination route is clear so they spend as little time in the air awaiting clearance to move into other regions of the city. Helicopters should be directed to higher altitudes so as to avoid excess noise to the communities below and traffic controllers should keep the craft on the ground for as little as possible to limit local residents around the airport from experiencing excess noise as well.

3. *What impacts could restrictive air traffic control procedures have on operations of:*

*Law enforcement helicopters?*

Minor Impact (should not be heavily restricted) as they tend to be lighter in weight and fly quieter, but they should fly higher whenever possible.

*Electronic news gathering (ENG) helicopters?*

MINOR IMPACT as they have the technology to fly higher and still gather the same visual information they may wish to broadcast.

*Sightseeing tour helicopters?*

Minor Impact as "tourists" will still see a birds eye view without invading the privacy of the community below.

*Emergency medical services (EMS) helicopters?*

NO IMPACT as EMS helicopters are working in life and death situations and should have special needs protected to value the life they may be trying to save.

*Corporate executive helicopters?*

Minor Impact as these craft often fly only during regular business hours to avoid massive traffic problems in the cities. They do not need to fly low for sightseeing and are often lighter and quieter than the Media versions.

4. *What are the recommended solutions for reduction of the effects of non military helicopter noise?*

Establish curfews for arrivals and departures of non-emergency helicopters. Recommended curfew from 10 pm to 7am. Increase media helicopter heights to move them far above other air traffic and decrease their noise impact on the community.

Use industrial routes where and when ever possible and avoid residential communities.

Remove the noise burden on already heavily impacted areas that are mixed with aircraft arrivals and departures by having of helicopter traffic fly over less used routes.

Restrict "HOVERING" as much as possible. Restrict cruising and get the news media to save fuel by covering only significant stories from their helicopters. Traffic reports do not require low flying helicopters.

Sincerely,



David Rankell  
Co-Chairman Aviation Committee  
Sherman Oaks Homeowners Association  
(818)513-1840

240 East 27 ST #20K

NYC 10016

October 16, 2000

Office of Chief Counsel

FAA

800 Independence Avenue S.W.

Washington, DC 20591

OFFICE OF THE  
CHIEF COUNSEL  
FAA  
2000 OCT 19 PM 5:06

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Attention: Rules Docket #30086

Re: Helicopters

To whom it may Concern:

Regarding helicopters: please do not allow their operation unless for emergency reasons.

I live between two on the East side and peripheral helicopter locations: East 34th and East 23rd Streets, and West 34th Street and Wall Street. In addition, many of the major hospitals in the Metropolitan NYC area are located within this area: Tisch Hospital; Bellevue; Hospital for Joint Diseases; Eye and Ear Infirmary, Beekman Downtown Hospital. Many buildings in the area are hi-rise; the business district extends from Wall Street, Silicon Alley, midtown. Helicopters overhead are dangerous, noisy, and quite accident-prone.

Please do not permit their commercial use.

Catherine Siffuri

# VINEGAR HILL NEIGHBORHOOD ASSOCIATION

77 GOLD STREET    BROOKLYN, NEW YORK 11201    TEL: (718) 858-1039    FAX: (718) 858-7495

October 17, 2000

75

Federal Aviation Administration  
Office of Chief Counsel  
Attn. Rules Docket; Docket No.30086  
800 Independence Ave. SW, Room 915H  
Washington, DC 20591

Dear Sir,

Helicopters flying over densely populated areas have a negative impact on those living underneath their path. Many of us are exposed to extreme helicopter noise and vibrations every day. The hovering of news and movie helicopters for any length of time is intolerable.

In our East River waterfront neighborhood we very often observe low flying helicopters over our houses; seldom do we observe them over the river path. Regardless of what kind of helicopters they are, their numbers must be drastically reduced. The minimum altitude must be raised, and the speed reduced. Routes must be designated. Noise impacts should be monitored all over the city. Tourist helicopters should be eliminated.

I have attended many of the Manhattan and Brooklyn Helicopter Task Force meetings, and I am a member of the Helicopter Noise Coalition of NYC.

Yours sincerely,



Monique Denoncin, President  
Vinegar Hill Neighborhood Association

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
200 OCT 19 P 3 06



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 OCT 20 A 10:42

ROBERT GROTELL  
DIRECTOR  
MAYOR'S OFFICE OF TRANSPORTATION

76

October 18, 2000

Federal Aviation Administration  
Office of Chief Counsel  
800 Independence Ave., SW  
Room 915H  
Washington, DC 20591

Attn: Rules Docket, Docket No. 30086

The City of New York appreciates this opportunity to submit comments on the Federal Aviation Administration's Study of Nonmilitary Helicopter Noise In Densely Populated Areas. As the busiest nonmilitary helicopter demand center in the world, the City has significant experience with regard to the Study's two mandates as specified in the Aviation Investment and Reform Act for the 21<sup>st</sup> Century: (1) determining the effects of nonmilitary helicopter noise on individuals and (2) developing recommendations for the reduction of the effects of nonmilitary helicopter noise. It is the intent of these comments to assist the FAA in identifying helicopter noise issues within a densely populated urban environment and developing appropriate mitigation by describing the local heliport system and the Giuliani Administration's ongoing efforts to reduce the associated noise. Community participation program and noise analyses findings from the *New York City Heliport and Helicopter Master Plan* are also discussed to further aid the FAA in meeting its Congressionally mandated goals and objectives.

### **The New York City Heliport System**

The myriad of helicopter services available at the City's informal system of three Manhattan waterfront heliports and multiple helistops at LaGuardia and John F. Kennedy International Airports and the associated passenger and user demand generates a level of helicopter activity unsurpassed by any city in the world. In 1999, the City's Manhattan heliport facilities, the West 30<sup>th</sup> Street Heliport on the Hudson River and the East 34<sup>th</sup> Street and Downtown Manhattan heliports located on the East River, accommodated 112,680 takeoffs and landings. Significant volumes of helicopter



operations originate outside the public-use heliport system at Floyd Bennett Field in Brooklyn, where the New York City Police aviation unit is based, as well as other area airport facilities, including: Newark International, Teterboro, Westchester County, Linden, Morristown and the Ridgefield Park Heliport.

There is also substantial aviation activity that passes through New York City airspace on a daily basis that is unrelated to the City's heliport infrastructure. This activity includes news media (electronic news gathering) helicopters – all of which are based in New Jersey; corporate helicopter traveling within the Northeast corridor; seaplanes operating between the East 23<sup>rd</sup> Street Seaplane Base on the East River and Long Island's east end; private/recreation fixed-wing aircraft flying up and down the Hudson River to view Manhattan's skyline and the Statue of Liberty; rotary and fixed-wing military aircraft; advertising airships; as well as commercial airline traffic from JFK, LaGuardia, and Newark Airports.

Not surprisingly, the City's volume of helicopter operations has long been a focal point for those opposed to heliports. The Manhattan heliports, and in particular, the East 34<sup>th</sup> Street Heliport and the former heliport at East 60<sup>th</sup> Street have been scrutinized on environmental (i.e., noise, air quality) and safety concerns for many years by residents, local elected officials, community boards, and special interest groups. Addressing these concerns in an unprecedented manner, the Giuliani Administration has aggressively sought to reduce helicopter noise impacts. In February 1998, the City closed the East 60<sup>th</sup> Street Heliport to eliminate noise impacts on the surrounding communities. Several months earlier, the tenant at the City-owned East 34<sup>th</sup> Street Heliport was evicted, which has reduced operations by over 60 percent. Voluntary agreements were entered into with the new operator at East 34<sup>th</sup> Street to eliminate all sightseeing activity, and with the helicopter sightseeing industry to restrict flights from flying over Manhattan and confine sightseeing flights to the Hudson River's airspace. Combined, these measures have significantly reduced helicopter noise impacts in many Manhattan communities. The West Side will experience a similar reduction in helicopter sightseeing-related noise when the State of New York and the Hudson River Park Trust, pursuant to State legislation, ban sightseeing at the West 30<sup>th</sup> Street Heliport.

It should be noted, however, that the City of New York has no intention of closing any additional heliports under our control or eliminating any corporate or transportation-related helicopter activity. Heliports play an important role within the City's transportation infrastructure and provide easy access between the central business districts and outlying areas. Helicopter sightseeing is another matter. The activity represents over 50 percent of all operations at the Manhattan heliports. Helicopter sightseeing, however, is not transportation. The City does not and will not support this activity at City-owned heliports. While we have reduced helicopter sightseeing impacts in and around the City, we can not eliminate it due to federal preemption rules – the City has no jurisdiction for its airspace. Only the FAA can take such action and, to date, it has not addressed the situation. As such, the City's actions have been limited to heliport-related policies and voluntary agreements. It is our hope that the study in question will compel the FAA to focus on the intrusive nature of helicopter sightseeing flights as well as electronic news gathering operations.

## New York City Heliport and Helicopter Master Plan

Just last year, the Giuliani Administration completed and issued the first comprehensive analysis of the City's heliport infrastructure, helicopter activity, and community compatibility issues. The FAA funded *Heliport and Helicopter Master Plan for the City of New York* was conducted to formulate City-wide policy initiatives and recommendations to achieve a balance between the local helicopter industry's operational needs (safety and efficiency) and the affected communities' quality of life. Beyond the typical FAA master planning components, the Study included an in depth analysis of the City's airspace structure with a particular focus on corporate and air tour flight paths, and a detailed noise analysis that considers both heliport generated and airborne noise events. Most importantly, the Master Plan encouraged community participation through a series of public meetings and detailed questionnaires to obtain relevant site-specific data regarding individual heliport and helicopter concerns.

The FAA's Office of Environment and Energy has been provided with a copy of the Master Plan for review and consideration. We urge the FAA to use this valuable resource in developing appropriate helicopter mitigation in the skies above the City of New York as well as other densely populated urban centers throughout the country.

### Helicopter-Related Noise Analyses

The Master Plan's noise analysis was based on a detailed monitoring program, and went beyond the typical FAA day/night level ( $L_{dn}$ ) noise contours in an attempt to identify how the heliports are affecting the surrounding communities. Sound exposure level (SEL) contours were developed for Manhattan heliports to achieve a more realistic representation of how individuals can be affected by helicopter noise, specifically speech interference and sleep disturbance. The use of SEL contours is supported by the findings of a noise-induced sleep disturbance study of residential homes in and around the Los Angeles International Airport and Castle Air Force Base. The LAX/Castle study found:

- A statistically reliable relationship between SEL and sleep disturbance (within five minutes of the event) was observed. That is, the higher the SEL, the greater the likelihood that the residents sleep would be disturbed.
- Long term noise exposure metrics, such as the Day-Night Average Sound Level, ( $L_{dn}$ ), show no useful association with sleep disturbance.
- The average spontaneous (non-noise event related) awakening rate was approximately two per night, regardless of other noise sources<sup>1</sup>.

Similar findings have been found in a study of sleep disturbance near the Denver International Airport (DIA) before and after its opening in 1995<sup>2</sup>.

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<sup>1</sup> Fidell, S., et al., Field study of noise-induced sleep disturbance. *Journal of the Acoustical Society of America*, 98 (2), Pt. 1, August 1995.

<sup>2</sup> Fidell, S., et al., *Noise-Induced Sleep Disturbance in Residences Near Two Civil Airports*, NASA Contractor Report 198252, December, 1995.

A comparison of  $L_{dn}$  and SEL contours for the East 34<sup>th</sup> Street Heliport as presented in the Heliport Master Plan are attached.

In an environmental impact statement prepared for the East 34<sup>th</sup> Street Heliport by the City of New York in 1995, another unique noise analysis methodology was utilized to obtain a more realistic representation of how individuals are affected by heliport-generated noise events. The analysis was based on hourly  $L_{eq}$  values rather than the 24-hour  $L_{dn}$  values. Use of a 24-hour model, such as FAA's Helicopter Noise Model, would show that no structures in Manhattan would be within the  $L_{dn}$  65 contour, indicating that the Heliport would not have a significant impact based on the City's and FAA's criteria. Since people do not hear 24-hour averages  $L_{dn}$  was not considered appropriate in this instance. Instead, it was decided that a more conservative approach of examining potential impacts based on the hourly  $L_{eq}$  values would better reveal the effects of a heliport on its surrounding land uses.

To determine the potential impact of helicopter operations, the following variables were used:

- Helicopter type
- Fleet mix
- Frequency of operations (per hour)
- Distance from the helicopter to the noise receptor; and
- Different operating modes, such as approach, hover, takeoff and idling.

Inserting these variables into two specific logarithmic formulas yields  $L_{eq}$  and SEL values for any distance from a ground-level helicopter noise event. The first formula is used to solve for the drop off in helicopter noise level:

$$= 17 \log_{10} D_F/D_N$$

where:  $D_F$  and  $D_N$  are the distances to the far and near receptors, respectively. The near receptor is always calculated at 50 feet.

The second formula solves for the hourly helicopter  $L_{eq}$  levels for each helicopter and operational mode by using measured and available SEL data for each helicopter type (e.g., S-76 SEL = 106.1 db; B-206 SEL = 108.75 db):

$$= L_{eq} (1 \text{ hour}) - SEL + 10 \log_{10} N - 35.5$$

where: N is the number of flights of a given type during a one-hour period (e.g., 34 peak hour S-76 operations and 10 peak hour B-206 operations).

From the individual helicopter type hourly  $L_{eq}$ s, a total  $L_{eq}$  (1 hour) can be obtained by a logarithmic summation of all  $L_{eq}$ s.

The City strongly believes that a new set of FAA helicopter noise criteria and a new methodology must be developed for densely populated urban environments. The 24-hour  $L_{dn}$  is clearly not appropriate.

#### Community Participation Program

Given the intense scrutiny of the City's heliports and related helicopter activity, the Master Plan's public participation program was designed to reach the majority of affected individuals and communities. A significant effort was made by the City of New York to hold a series of public meetings and to augment any anecdotal information obtained with a statistical sampling of those affected by helicopter noise. In total, three Public Information Meetings were held and a Community Participation Questionnaire was widely distributed to elicit site specific information.

The questionnaire (see attached) asks for information on location, closest intersection to the affected home or business; greatest helicopter/heliport concern; and what the concern is related to (i.e., a specific heliport, flight paths, altitude, frequency of flights, time of day, and a particular season). It also asks how long the concern has been an issue at the specific site and what type of helicopter activity the concern is related to (e.g., sightseeing, corporate, news media, etc.). Lastly, space is provided on the form for respondents to describe their concern in more detail.

At the initial Public Information Meeting, a total of 70 forms were returned, which is a 47 percent response rate based on attendance estimates. Upon review, several general trends were observed. There were basically four major pockets of heliport and helicopter-related complaints in the City prior to the meeting: Brooklyn Heights, the areas surrounding the East 34<sup>th</sup> Street and East 60<sup>th</sup> Street heliports (including Roosevelt Island), and the Upper West Side. In fact, the Brooklyn Heights area generated the largest number of complaints. Nearly 92 percent of the total respondents cited helicopter noise as their greatest concern, although 45 percent said that the noise was not related to a specific heliport (i.e., related to flight paths). Regarding the time of day that helicopter noise was an issue, the 5 a.m. to 8 a.m. period generated the greatest response (50 percent) with the 5 p.m. to 8 p.m. period a close second (47 percent). These findings are consistent with the fact that the majority of respondents are not at home during the day.

Another set of Community Questionnaires was distributed and collected at the second Public Information Meeting held in Brooklyn Heights, which was attended by approximately 80 people. Of the 28 forms returned (a 35 percent response rate), the same four pockets emerged as from the initial public meeting. The results are skewed toward Brooklyn Heights, however, given the meeting's location. An additional question was added to determine if the decreased helicopter air tour activity resulting from the Giuliani Administration's helicopter noise mitigation measures had been observed by the affected communities. Over 44 percent of the respondents stated that traffic had decreased. While the situation had improved for some, new concerns were raised over the traffic increases at West 30<sup>th</sup> Street and a proposed helicopter storage facility at the Brooklyn Navy Yard.

To obtain an indication if helicopter concerns are prevalent throughout the entire City or limited to specific areas, over 500 additional questionnaires were distributed to the City's 59 Community Boards. Over a three month period, 45 forms (9 percent response) were received and analyzed. Nearly 85 percent of the respondents lived within the major pockets identified above. Of the other forms received, two were from the Gramercy Park area in Manhattan, one from East 14<sup>th</sup> Street and the East River, two from Forest Hills, Queens, and one from Coney Island in Brooklyn.

In total, over 90 percent of the questionnaires received cited noise as their primary heliport/helicopter-related concern. As you know, there are two components to the helicopter noise issue: heliport facility-related and airborne/flight path-related. Based on the East 34<sup>th</sup> Street Heliport EIS noise methodology, potential noise impacts from takeoffs, landings and idling may affect people who live or work within 1,000 feet of the busiest facilities. These heliport-related effects are most prevalent during peak periods, where operations can exceed 40 per hour.

Airborne/flight path-related noise impacts result from the network of both formal and informal routes that are used by the full-range of helicopter services provided in the New York City demand center. As previously stated, helicopter air tours historically comprise over half of the City's annual heliport operations. For some residents the flight path portion of these operations translate into sightseeing flights overflying their apartments less than every two minutes during peak periods. It is this seemingly constant and repetitive nature of air tour activity that concerned residents have stated is the most intrusive. The tabulated results of Community Participation Questionnaire survey responses are attached.

## **Conclusion**

The Giuliani Administration has significant hands-on experience in determining the effects of helicopter noise on individuals and developing ground-based helicopter noise mitigation (see Master Plan, Chapter 12). We look to the FAA to develop corresponding airspace mitigation that will provide much needed relief to the many New York City residents that are negatively affected by helicopter noise. The U.S. Congress has specifically given FAA sole jurisdiction over the National Airspace System, and this exclusive authority has been upheld in numerous legal challenges. Since FAA has preemptive control over all airspace issues, states, counties, and municipalities, as well as airport operators cannot enact or enforce any regulation or law that infringes upon FAA's jurisdiction. As such, the City of New York has no direct jurisdiction or authority to address local helicopter airspace/flight path-related concerns and issues, as previously identified.

Given FAA's role as NAS manager and the Study's mandated goal to develop recommendations to mitigate the effects of helicopter noise, the City of New York requests to be included in the mitigation process. Although local governmental entities are not typically conferred with, the City's situation demands a unique approach. There is no other densely populated urban center in the United States that experiences this high volume of helicopter activity. Furthermore, given the FAA's lack of involvement with the East 34<sup>th</sup> and West 30<sup>th</sup> Street Heliports (since they are not federally funded),

the City's operational knowledge of those facilities as well as the entire system would greatly benefit the FAA. The City is eager to assist the FAA as it studies the effects of nonmilitary helicopter noise in densely populated areas. We are hopeful that the City of New York and FAA (including its Washington, D.C. and Eastern Regional offices) can establish an effective dialogue and working relationship to jointly address local heliport and helicopter-related issues.

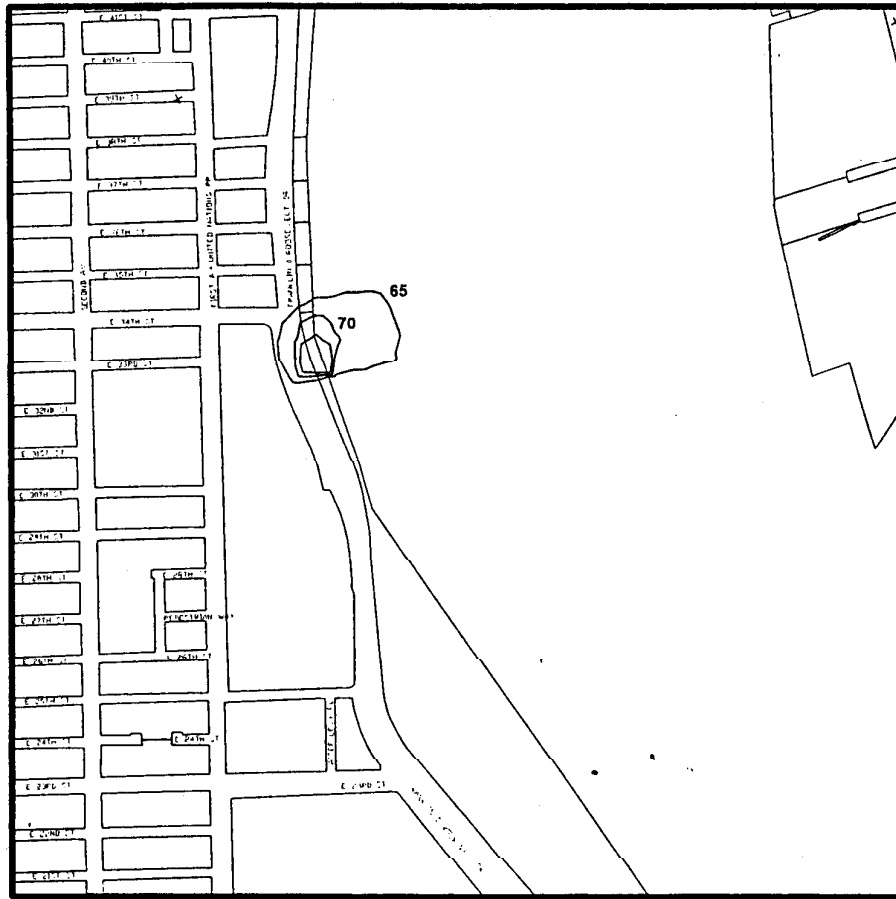
Should you have any questions, comments or require additional information, please feel free to contact me at 212 788 2766.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Grotell", followed by a horizontal line extending to the right.

Robert Grotell

/attachments



**EDWARDS AND KELCEY ENGINEERS, INC.**

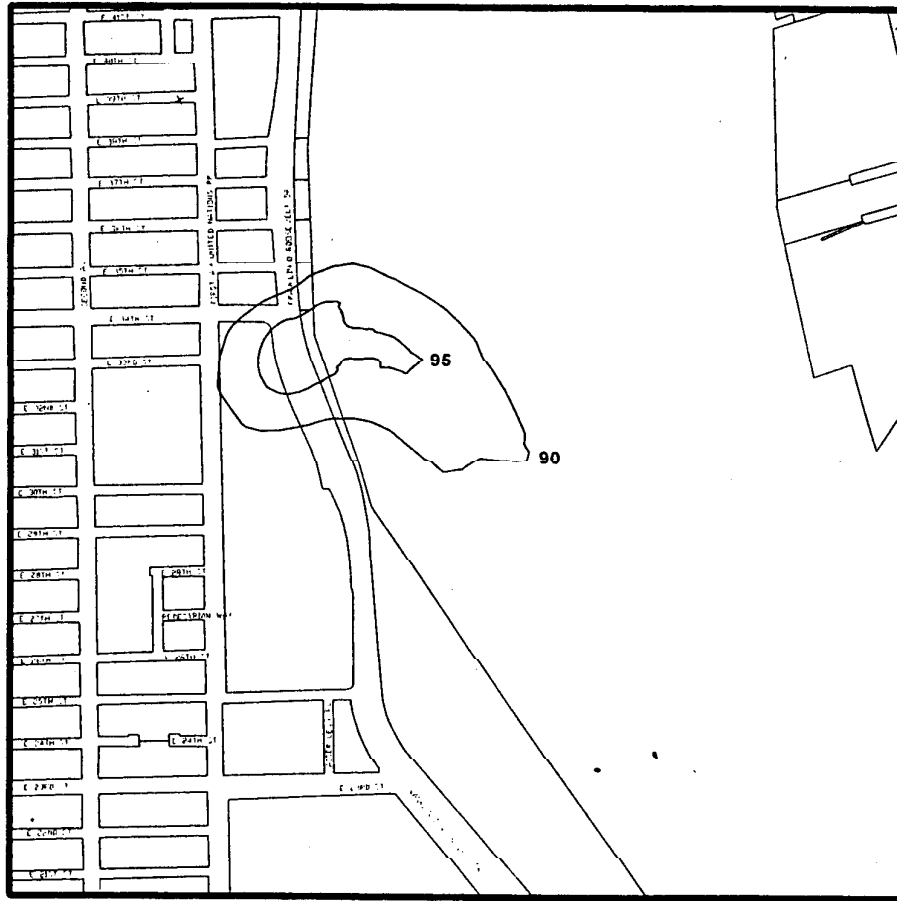


Figure 9A-26: SEL Contours at East 34th Street, S-76 Departure



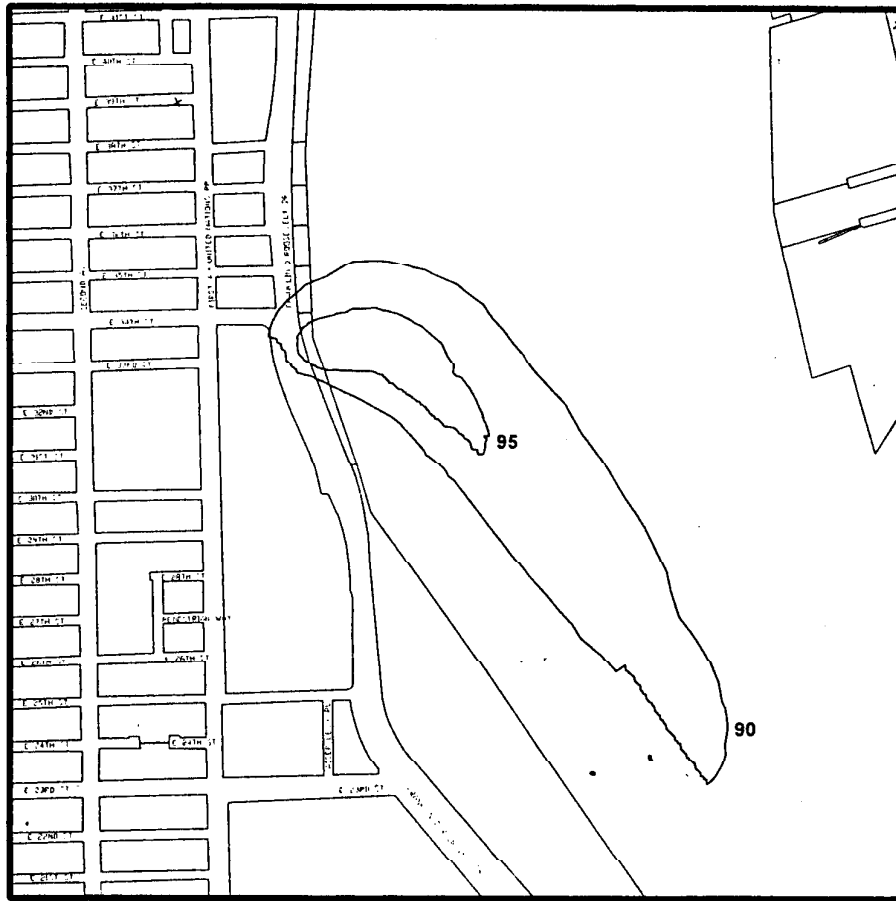


Figure 9A-25: SEL Contours at East 34th Street, S-76 Arrival



# NYC Heliport and Helicopter Master Plan Study Community Participation Questionnaire



The New York City Economic Development Corporation requests your assistance in identifying specific community-related issues regarding the operation of heliports and/or helicopters. Your response to this survey will help assess the impacts on city residents. Please answer the following questions and place the completed form in the box located by the door as you leave tonight's meeting.

1. Please list the closest intersection to your home or business where heliport/helicopters are an issue for you.  
 \_\_\_\_\_ Borough: \_\_\_\_\_
2. What is your greatest concern at the above location relating to heliports and/or helicopters (please check one):  
☐ Noise ☐ Safety ☐ Other (please specify) \_\_\_\_\_
3. Is the concern at your location related to (please check all that are applicable):
  - a. Takeoffs, landings or idling at a specific heliport ☐ Yes ☐ No  
 If yes, which heliport facility:  
☐ East 34th Street ☐ East 60th Street  
☐ West 30th Street ☐ Downtown Manhattan
  - b. Helicopter flight paths ☐ Yes ☐ No
  - c. Low-flying helicopters ☐ Yes ☐ No
  - d. High frequency of flights ☐ Yes ☐ No
  - e. Time of day ☐ Yes ☐ No  
 If yes, please specify problem period (check no more than two periods):  
☐ 5AM - 8AM ☐ 8AM - 11AM ☐ 11AM - 2PM  
☐ 2PM - 5PM ☐ 5PM - 8PM ☐ 8PM - 11PM  
☐ 11PM - 5AM
  - f. Other (please specify) \_\_\_\_\_
4. Are your concerns prominent (please check) ☐ year round or ☐ during a particular season (please specify):  
☐ spring ☐ summer ☐ autumn ☐ winter
5. How long has your heliport/helicopter concern been an issue (please check one):  
☐ 1 year or less ☐ 1 to 5 years ☐ 5 years or more
6. What category of helicopter operations do you perceive is the cause of your concern (please check no more than two):  
☐ Helicopter sightseeing ☐ Corporate transportation ☐ Police/air ambulance  
☐ News media ☐ Not sure
7. Please describe your concern in more detail (if necessary):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Thank you for your participation in the NYC Heliport and Helicopter Master Plan Study.

**APPENDIX 2-B**  
**NYC HELIPORT AND HELICOPTER MASTER PLAN STUDY**  
**COMMUNITY PARTICIPATION QUESTIONNAIRE**

1. Please list the closest intersection to your home or business where heliport/helicopters are an issue for you.

See attachment for responses.

2. What is the greatest concern at the above location relating to heliports and/or helicopters:

Concern # 1	Concern # 2	Other Concern	Total Responses	Percentage
noise	-	-	117	57.6
noise	safety	-	48	23.6
noise	safety	air quality	16	7.9
safety	-	-	14	6.9
no response	-	-	3	1.5
noise	-	aesthetics	3	1.5
noise	safety	invasion of privacy	2	1.0
<b>Total</b>			<b>203</b>	<b>100.0</b>

- 3a. Is the concern at your location related to takeoffs, landings or idling at a specific heliport.  
 If yes, which heliport facility:

Response	Which Heliport	Total Responses	Percentage
No	-	91	44.8
Yes	DMH	52	25.6
Yes	E34th	27	13.3
Yes	E60th	20	9.9
Yes	All	7	3.4
Yes	W30th	5	2.5
Yes	Linden Airport	1	0.5
<b>Total</b>		<b>203</b>	<b>100.0</b>

- 3b. Is the concern at your location related to helicopter flight paths:

Flight Paths	Total Responses	Percentage
Yes	179	88.2
No	24	11.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

- 3c. Is the concern at your location related to low-flying helicopters:

Low Altitude	Total Responses	Percentage
Yes	181	89.2
No	22	10.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

NYC HELIPORT AND HELICOPTER MASTER PLAN STUDY  
COMMUNITY PARTICIPATION QUESTIONNAIRE

3d. Is the concern at your location related to high frequency of flights:

High Frequency	Total Responses	Percentage
Yes	183	90.1
No	20	9.9
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.1 Is the heliport/helicopter concern at your location during 5 AM to 8 AM:

5 AM - 8 AM	Total Responses	Percentage
No	102	50.2
Yes	101	49.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.2 Is the heliport/helicopter concern at your location during 8 AM to 11 AM:

8 AM - 11 AM	Total Responses	Percentage
No	122	60.1
Yes	81	39.9
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.3 Is the heliport/helicopter concern at your location during 11 AM to 2 PM:

11 AM - 2 PM	Total Responses	Percentage
No	139	68.5
Yes	64	31.5
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.4 Is the heliport/helicopter concern at your location during 2 PM to 5 PM:

2 PM - 5 PM	Total Responses	Percentage
No	128	63.1
Yes	75	36.9
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.5 Is the heliport/helicopter concern at your location during 5 PM to 8 PM:

5 PM - 8 PM	Total Responses	Percentage
No	108	53.2
Yes	95	46.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

**NYC HELIPORT AND HELICOPTER MASTER PLAN STUDY  
COMMUNITY PARTICIPATION QUESTIONNAIRE**

3e.6 Is the heliport/helicopter concern at your location during 8 PM to 11 PM:

8 PM - 11 PM	Total Responses	Percentage
No	153	75.4
Yes	50	24.6
<b>Total</b>	<b>203</b>	<b>100.0</b>

3e.7 Is the heliport/helicopter concern at your location during 11 PM to 5 AM:

11 PM - 5 AM	Total Responses	Percentage
No	171	84.2
Yes	32	15.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

4. Are your concerns year around or during a particular season:

Season	Total Responses	Percentage
Year Round	176	86.7
Summer	13	6.4
Spring	7	3.4
No Response	4	2.0
Autumn	3	1.5
<b>Total</b>	<b>203</b>	<b>100.0</b>

5. How long has your heliport/helicopter concern been an issue:

Concern Duration	Total Responses	Percentage
1 to 5 years	102	50.2
5 years or more	52	25.6
1 year or less	43	21.2
No Response	6	3.0
<b>Total</b>	<b>203</b>	<b>100.0</b>

6a. Do you perceive that helicopter sightseeing operations is the cause of your concern:

Helicopter Sightseeing	Total Responses	Percentage
No	104	51.2
Yes	99	48.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

**NYC HELIPORT AND HELICOPTER MASTER PLAN STUDY  
COMMUNITY PARTICIPATION QUESTIONNAIRE**

6b. Do you perceive that helicopter corporate transportation is the cause of your concern:

<b>Corporate Transportation</b>	<b>Total Responses</b>	<b>Percentage</b>
Yes	104	51.2
No	99	48.8
<b>Total</b>	<b>203</b>	<b>100.0</b>

6c. Do you perceive that helicopter police/air ambulances is the cause of your concern:

<b>Police/ Air Ambulance</b>	<b>Total Responses</b>	<b>Percentage</b>
No	196	96.6
Yes	7	3.4
<b>Total</b>	<b>203</b>	<b>100.0</b>

6d. Do you perceive that helicopter news media is the cause of your concern:

<b>News Media</b>	<b>Total Responses</b>	<b>Percentage</b>
No	116	57.1
Yes	87	42.9
<b>Total</b>	<b>203</b>	<b>100.0</b>

7. Have you noticed any decrease in the number of flights?:

<b>News Media</b>	<b>Total Responses</b>	<b>Percentage</b>
No	41	56.9
Yes	26	36.1
No response	5	6.9
<b>Total</b>	<b>72</b>	<b>100.0</b>

## Coalition to Quiet Our Neighborhood

14 North Cobane Terrace  
West Orange, NJ 07052  
(973) 736-5796 (973) 736-6862

76A

Workshop #2  
M. Silver

October 20, 2000

Office of Chief /Counsel  
Federal Aviation Administration  
800 Independence Ave. S.W.  
Washington, D.C. 20591

Re: Assessment of Non-Military Helicopter Operations for a Densely Populated Area

To the Chief Counsel:

I am writing as representative of a group of 215 homeowners in the Gregory/Northfield area of West Orange, NJ, a suburb 23 miles from New York City and within 10 miles of Newark International Airport. In addition, I am conveying input I received as a response from letters to the editor recently published in local and regional papers. I received 320 email and telephone responses to my letters requesting input to present to the FAA today. It was my plan to come personally to present the concerns of these homeowners, but a last minute emergency has prevented my trip.

The types of helicopter operations that elicit the most negative response are low-flying helicopters at all times of the day and night. The flights are primarily from Newark to Morristown Airport. Residents report property damage, loss of sleep, inability to communicate or enjoy their homes, and fear of crashes. They say their homes shake, the windows rattle, and sudden onslaught of intense noise causes mental distress. Examples of property damage are that one homeowner's storm door shattered. Another is a person saw the toilet bowl crack as a helicopter flew overhead.

The helicopters fly at all times of the day and night. Since I moved here three years ago, I personally have been unable to sleep a full night because of the noise and can tell you they go over all night long. To hear a helicopter at 3:15 in the morning is not uncommon. I have had to purchase a headset with noise-cancellation technology just to live in my home.

When asked what air traffic control procedures they would like to see implemented, residents requested a minimum altitude of 1500 feet that would mitigate the noise.

Helicopters navigate near Interstate 280, which runs through West Orange. These residents are already besieged by automobile noise and want the routes spread out so they do not receive a disproportionate amount of the noise.

Curfews are requested. We favor a 10 p.m.-7 a.m. curfew.

Sincerely,

  
Cherie Kipple

## COALLTION TO QUIET OUR NEIGHBORHOOD

## FACSIMILE TRANSMITTAL SHEET

TO:	Sandy Liu	FROM:	Cherie Kipple
COMPANY:	Coalition to Quiet Our Neighborhood	DATE:	10/20/2000
FAX NUMBER:	(973) 736-6862	TOTAL NO. OF PAGES INCLUDING COVER:	2
PHONE NUMBER:	(973) 736-5798	SENDER'S REFERENCE NUMBER:	
RE:	Fax to Dave Sherman, Gerry Silver	YOUR REFERENCE NUMBER:	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

## NOTES/COMMENTS:

Dear Sandy,

I had planned to come today to represent my group but a last minute emergency has prevented me from doing so. Please pass this letter on to Gerry Silver or Dave Sherman. Thank you very much.

Cherie Kipple

[CLICK HERE AND TYPE RETURN ADDRESS]



Carolynn R. Meinhardt  
428 West 22 Street  
New York, New York 10011

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 OCT 20 A 11: 54  
9 October 2000

77

FAA  
Office of the Chief Counsel  
Att.: Rules Docket #30086  
800 Independence Avenue, S.W.  
Rm. 915H  
Washington, D.C. 00241

Re: October 20, 2000 Hearing

Dear Madam or Sir:

I am writing to you to complain about the growing number of helicopters and small prop planes flying over our once quiet, peaceful, and relatively safe neighborhood of Chelsea. It is really totally inappropriate and unsafe to be using the densely populated island of Manhattan as a flight path for these crafts, especially the helicopters, which have the worst safety records of any aircraft.

Why should thousands of people on the ground be put at risk by these helicopters? To speed some executive of a tobacco company, an insurance company, or a drug company on their questionable paths? To satisfy some tv news executive's confusion over whether he is in the entertainment or news business and show tv audiences a view they couldn't have lived without before helicopter coverage? To rob Manhattan residents of any chance at privacy? To show tourists our roofdecks and backyards?

I have owned my home here since 1968. People like me have worked very hard to rebuild Manhattan's various neighborhoods, especially Historic Districts like Chelsea. We used to pride ourselves on the peace and quiet here, the sense of time and place and scale our federal architectural style sets. Thousands of tourists on walking tours come through our streets, year round. They used to be able to share our sense of history. Now, they, like us natives, have to strain to hear conversation outside at times because of the racket made by these "choppers".

Do we have to have some terrible loss of life, a "chopper" hitting a playground or public school for instance, before sanity returns and these unnecessary helicopter and small plane flights are limited to appropriate uses such as medical transit or police or fire department work. I would hate to have that on my conscience, wouldn't you?

Yours truly,



Carolynn R. Meinhardt

cc: Congressman J. Nadler

**REGIONAL COMMISSION ON AIRPORT AFFAIRS**  
19900 4th Ave. S.W.  
Normandy Park, Washington 98166-4043

Website: <http://www.rcaanews.org/rcaa>  
E-mail: [rcaa@accessone.com](mailto:rcaa@accessone.com)

FAX 00-18  
**77A**  
Workshop #2  
G. Silver

## F A X M E S S A G E

DATE: F, 7 July 2000                      TIME: 1415 PDT  
TO: Mr Sandy R Liu                      PHONE: 1.202.493.4864  
Noise Division (AEE-100)              FAX: 1.202.267.5594  
Office of Environment & Energy  
Federal Aviation Administration  
800 Independence Ave. S.W.  
Washington, D.C. 20591  
FROM: Lawrence J. Corvari              PHONE: 206.824.3120 (voice, voice mail)  
President, RCAA                      FAX: 206.824.3451  
RE: Docket 30086  
cc: U.S. Rep. Adam Smith

Number of pages in this message: - 1 -

### **Message**

Dear Mr Liu:

We learn today – not from the FAA – that you are seeking public comment "to help [your] agency prepare a report to Congress on the effects of non-military helicopter noise on individuals in densely-populated areas".

Now that this word has escaped, we would like more information on this subject. Kindly send us the text of any announcements that have been made on this matter, and kindly advise us of any rules, regulations, guidelines, &c., that we must comply with in order to submit comments & have them considered. E mail would be the best way to reach us. FAX would be second best. The addresses are given above.

Is it true, as we read in a non-official publication, that our comments must physically be in the hands of another part of the FAA on Monday, 24 July? (This is a very rough requirement for organizations – ours like many others – that only meet monthly. We get 17 days' notice! In fact, if we didn't pay out hundreds of dollars a year for a private newsletter, we would never have heard about it at all.)

400-189

77B

Workshop #2  
G. Silver

7 July 2000

Hon. Adam Smith  
U.S. Representative  
3600 Port of Tacoma E., Suite 308  
Tacoma, Washington  
WA 98424

Re: FAA Docket 30086 – Helicopter noise

Dear Congressman Smith:

Please find enclosed a copy of a FAX that I have just sent to the FAA's District of Columbia office, and also a copy of the newsletter article that touches off our inquiry to the FAA.

The purpose of this letter is to state to you how unsatisfactory we find the FAA's way of involving the public in matters such as this. Our organization has been in existence for eight years (it seems much longer!), continuously and actively engaged with the FAA (and others) on airport and aviation issues. Our address is what it was when we commented on the several EISes prepared by or with the help of FAA for Sea-Tac Airport expansion, and when we were active in the State Air Transportation Committee exercise, and when we have commented on various other FAA "Docket" items in the recent past, not having to do with Sea-Tac Airport.

The FAA unmistakably KNOWS that we have an ongoing and active interest in aviation matters. In fact, we are the largest such organization in this entire State. Yet, we find out about something like this ONLY because we shell out five or six hundred dollars a year for a private newsletter – and we have 17 calendar days to formulate a response – which has to be physically on the other side of the continent -- and in triplicate! Seventeen days' notice!

And the requirement for actual physical receipt is absurd. Even the IRS allows ordinary mailing to constitute receipt. If a rigid deadline for receipt is required, has the FAA not heard of e-mail? FAX machines? Why should we not be allowed to use modern business practices in dealing with the Federal government. And why receipt in triplicate? Has the FAA not yet learned about photocopiers? Congressman Smith, this is a terrible way

L00-189

**RCAA**

U.S. Representative Adam Smith  
Re: FAA & public involvement  
7 July 2000  
Page 2

to do business. Why didn't FAA take the trouble to send its notice to the people and groups that it KNOWS have an interest in aviation affairs?

And why such short notice? Most groups (that is to say, citizen groups, neighborhood groups, volunteer groups) operate with monthly meetings (& often take the Summer off). It is sheerest happenstance that our group has its monthly Board of Directors meeting scheduled for next Monday, so we will be able, by altering our agenda, to consider a draft response to the FAA's announcement. Many neighborhood groups around the country will not have the slightest chance to comment on the helicopter nuisance. No doubt, the industry has had plenty of advance warning that this was coming, & they will flood the FAA with their materials, allowing the FAA to report to the Congress that there is very little interest in this issue, and that such interest as there was told the FAA that everything was just fine in the helicopter department.

What can be done to bring the FAA into this century in terms of realistic public involvement, use of modern business methods, & so on?

Yours truly,

Lawrence J. Corvari  
President

encls

L00-189

# Citizens for a Quiet Environment

P.O. Box 1714, Corrales, New Mexico 87048 • e-mail: nag-abq@juno.com • (505) 897-0840

Submitted to:

Office of Chief Counsel  
Federal Aviation Administration  
800 Independence Avenue SW  
Washington, DC 20591

77C  
Workshop #2  
G. Silver

**PUBLIC COMMENT  
REGULATORY DOCKET 30086**

Wednesday, August 23, 2000

The Citizens for a Quiet Environment is a non-profit organization in Albuquerque, NM working for noise education, abatement and control. We have played a major role in getting the city's noise code updated and strengthened, promoted International Noise Awareness Day in the city and undertaken numerous other activities promoting a quieter soundscape. We publish a quarterly newsletter that goes out to a substantial list of supporters and are in regular contact with other noise abatement and control groups throughout the world.

The following comments from CQE are submitted in response to the Federal Aviation Administration's call for public comment for consideration in preparation of a report to the Congress on the effects of non-military helicopter noise on individuals in densely populated areas. It is our belief that the noise from helicopters has a negative effect on the public not only in densely populated areas but in the nation's parks and other areas where they are a rude intrusion to those parklands and have included comments on this matter.

As the FAA was directed in section 747 of the FAA Reauthorization Act of 2000 to conduct a study dealing with control of helicopter noise through air traffic control procedures, we ask that this document be submitted to the FAA and be made part of the official record. In addition to air traffic control procedures, we believe that other avenues of noise abatement need to be addressed by the FAA.

We have responded to each of the four questions put forward by the FAA and list them in bold face type followed by our response.

**1. What are the types of helicopter operations (law enforcement, electronic news gathering, sightseeing tours, etc.) that elicit the negative response by individuals in densely populated areas?**

Electronic news gathering operations have been the most controversial in Albuquerque, New Mexico, with law enforcement operations becoming more of an issue as the police and sheriff's

Page 2

departments are increasing the use and number of helicopters in the area. Early morning use by TV and late night use as "patrol cars" by the police have raised tempers. Were the police in active pursuit of lawbreakers the public might be sympathetic but, when they circle a neighborhood for an extended period just "looking", they create considerable antipathy.

## **2. What air traffic control procedures are applicable in addressing helicopter noise reduction? Why?**

It would seem that flight paths developed for helicopters that would avoid residential areas wherever possible would be one procedure. The other would, of course be altitude and it does not seem unreasonable to require a minimum altitude of 2,000 feet except for take-off and landing when over a residential area.

Class B regulations, as they pertain to helicopters, could be applied to smaller airports - say those serving a metropolitan area of 100,000 or more so that, rather than following visual flight rules, the helicopter pilots would be under the control of an air traffic controller and could be told to "remain clear" of certain areas.

An alternative to this would be to place minimum altitude limits on helicopters over residential areas based on the noise ratings for the individual machines so that they would not inflict a reading of more than 55 dB(A) on those at ground level. Visual identification from the ground could be made of violators were the helicopters carrying different symbols on their underbellies for different noise ratings on helicopters. For example an "A" rated helicopter might be quiet enough to be permitted to fly at 2000 feet over a residential area while a "B" rated noisier helicopter might have to maintain 2,500 feet over the same location

## **3. What impacts could restrictive air traffic control procedures have on operations of:**

### **Law enforcement helicopters?**

Were restrictions imposed only when the helicopter is being used for "patrol" purposes or routinely leaving or returning to its base, it would not seem that restrictions placed on law enforcement helicopters should have any negative impact on their operation or effectiveness.

### **Electronic news gathering (ENG) helicopters?**

With up-to-date equipment, these helicopters should be able to cover stories on the ground effectively from 2,000 feet while lessening their impact on the public. There should also be restrictions on their interaction with police activities as there have been instances reported where they actually interfere with the police operation.

Page 3

### **Sightseeing tour helicopters?**

Helicopters can cause adverse impacts in residential areas and on the natural and cultural resources of our nation's parklands. Homeowners find helicopters to be a visual and aural invasion of their right to peaceful enjoyment of their property and these intrusions should be strictly regulated.

Noise (which is unwanted sound) erodes the quality of the visitor experience for those who use our parklands. Therefore, the airspace over units of the national park system and other sensitive park areas, regardless of jurisdiction, should be kept free of helicopter flights as a rule, especially sightseeing flights.

The rights of tourists or sightseers should not take precedence over those of home owners, wilderness campers, national park unit visitors, or other users of our nation's natural and cultural resource areas. Where a conflict exists, the homeowner's right to quiet enjoyment of their property and the park visitor's right to enjoy a quiet environment should take precedence over non-emergency helicopter use of that air space.

This issue should not be addressed by mere guidelines or policy, but by strictly enforced regulations which carry penalties sufficient to preclude violations.

#### **Emergency medical services (EMS) helicopters?**

When not en route to retrieve a sick/injured party or delivering that party to a medical facility, stricter regulations for these helicopters should have no negative effect on their operation and they should have to adhere to any and all such regulations.

#### **Corporate executive helicopters?**

Again, the property rights of homeowners should take precedence over the convenience of such helicopters. They should be required to abide by any and all regulations designed to provide noise relief, privacy and safety to the public.

#### **4. What are the recommended solutions for reduction of the effects of nonmilitary helicopter noise?**

- a. Minimum altitude of 2,000 feet over any incorporated area.
- b. Hush kits for all aircraft that do not already meet reasonable noise standards that should be set by the FAA that are at least as strict as those of the European Union.
- c. Identifying markings on the bottoms of all aircraft that make it possible to recognize if they

Page 4

are medical, police, TV, military or other from the ground.

- d. Lights that serve the same purpose at night as the markings in item C
- e. Any used aircraft should be required to be inspected for compliance with noise standards before it can be put into service by a new owner and all aircraft should undergo noise testing whenever they have any other FAA required inspection.
- f. Funding of the Office of Noise Abatement and Control should be reinstated so that the issue can be studied from an environmental perspective.
- g. The manufacturers of helicopters should be required to develop quieter machines than those that meet Type 3 standards. Methods for modifying older equipment should be called for with specific noise levels being set by mandate just as they were for car emissions and gas mileage. Type 1 and Type 2 aircraft should be withdrawn from service after a specific date if they cannot be modified to meet stronger noise standards. Work should begin on setting standards for Type 4 helicopters.

This document has been approved by the Board of Directors of the Citizens for a Quiet Environment and submitted on August 23, 2000.

Stephen O. Frazier, President  
Citizens for a Quiet Environment

FAA-CQE final.cwk



FAAD001

**HOWARD PERRY BECKMAN**  
**ATTORNEY AT LAW**

1261 VIA DOLOROSA  
SAN LORENZO, CALIFORNIA 94580

VOICE/FAX 510.278.7238  
EMAIL hpb@wenet.net

77D

July 22, 2000

U.S. Department of Transportation  
Federal Aviation Administration  
Office of Chief Counsel  
Room 915H  
800 Independence Ave. S.W.  
Washington, D.C. 20591

**Public Comment on Regulatory Docket 30086**  
**(Helicopter Noise)**

The following comments are submitted in triplicate in response to the FAA's request for public comment issued June 16, 2000 and published in the Federal Register.

**Public Notice**

Given the ubiquity and severity of the helicopter noise problem in the United States, the FAA should have provided greater public notice and a longer period for public comment. The FAA has known of the requirement to prepare a report to Congress on helicopter noise since the enactment of FAA Authorization Act earlier this year. Soliciting public comment in mid summer, when most ordinary citizens are not likely to get word, is appalling.

**Types of Helicopter Operations Producing Unreasonable Noise**

I live near a general aviation airport, the Hayward Executive Airport (HWD). In past years helicopter operations were minimal and relatively nonintrusive. The growth in helicopter operations for touring, commuting, alleged "news" gathering, police work, and associated training of pilots has created an alarming increase in noise for those living near small airports. The complete failure of FAA regulations to address the noise impacts of helicopter operations has aggravated the noise impact on residential communities.

Redundant activity. I live within viewing distance of a segment of a major freeway

where accidents are frequent. When accidents occur I have seen as many as four helicopters hover

/Continued

Public Comment: FAA Regulatory Docket 30086 / July 22, 2000 / Page Two

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at low altitude over the accident scene: two television broadcaster aircraft and two police agency aircraft. The hovering at such scenes typically persists for half an hour to 45 minutes. Friends who live near this segment of freeway say the prolonged presence of the helicopters precludes normal in-home conversation, TV or radio listening, telephone conversation, or concentration on reading matter.

Pilot training. The world's largest helicopter pilot training school (Helicopter Adventures, Inc.) exists at a general aviation in Concord, California. Student pilots frequently fly to the Hayward airport (and other general aviation airports) to conduct touch-and-go flying. In addition, pilots of helicopters based at Hayward (police and medical emergency aircraft) conduct touch-and-go training. Such training flights have occurred on weekends as early as 8:30 a.m., and as sustained as all day (early morning to 7 p.m.), every day, for an entire week. Unlike the noise from fixed-wing aircraft flying touch-and-go, the noise from helicopter touch-and-go operations is nonstop. The rotor blade speeds of aircraft on the ground are maintained at virtually the speed of flight; the aircraft do not come and go every several minutes, like fixed-wing aircraft; and the noise emitted from helicopters is qualitatively significantly different from that of fixed-wing aircraft -- much more aggravating because of the lower frequency.

Routine patrolling by police. Early last year the Alameda County sheriff's department purchased a helicopter and immediately put it into operation in unincorporated areas of the county (such as San Lorenzo, where I live). I discovered, through observation and conversations with officers responsible for the helicopter, that the helicopter was being used for routine patrolling at night (at low altitudes), in the same way that officers in ground vehicles patrol the streets. This routine patrolling created unwarranted noise late at night. Because of complaints from residents, the sheriff's department stopped using the helicopter for routine nighttime patrolling.

Airport traffic patterns. Those of us who live near the Hayward airport are subjected to frequent arrivals and departures of helicopters at the airport; these aircraft invariably fly at very low altitudes directly over homes near the airport, particularly when arriving. The pattern of helicopter arrivals suggests that pilots fly the most direct route into their airport bay without regard to air traffic patterns because they can (unlike fixed-wing aircraft).

### **The Regulatory Approach to Fixed-Wing Aircraft is Inappropriate for Helicopters**

Helicopters have a flexibility in flight that fixed-wing aircraft do not, and it is just this flexibility that makes helicopters particularly useful for certain purposes. At the same time, this flexibility creates special noise circumstances. Helipads can be, and are, built on rooftops of office buildings and hospitals. The annual-average Ldn metric is

completely useless in measuring the noise impacts of helicopters at a facility other than an airport because, whereas airports exist for aircraft and therefore the noise from aircraft is to be expected, helicopter use of areas outside airports is not normal and therefore the noise

/Continued

Public Comment: FAA Regulatory Docket 30086 / July 22, 2000 / Page Three

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impacts are extraordinary. Thus, fundamental assumptions underlying the Ldn are inapplicable to helicopter facilities outside airports.

In addition, because the noise emitted from helicopters is qualitatively different than that of fixed-wing aircraft (either propeller or jet engine), in that it is longer-lasting and lower frequency, the A-weighted decibel is inappropriate for modeling human exposure to helicopter noise. The A-weighted decibel specifically excludes the low-frequency noise characteristic of helicopters.

The combination of annual averaging (Ldn) and use of the A-weighted decibel by the FAA trivializes the impact of helicopter noise on humans.

#### **New Regulations Are Necessary**

The failure of the FAA to adopt minimum altitudes for helicopter flight over populated areas is unconscionable. Because of their noise qualities, helicopters should not be permitted below an altitude that will ensure the reasonable tranquility of populated areas.

Helicopters should have "N" numbers that are more visible than at present.

Noise standards specific to helicopters must be adopted, and older (noiser) helicopters phased out in the same way as commercial jet aircraft.

The imminent mass use of helicopters for a variety purposes, and the attendant assault on the quality of life in populated areas, requires that the Congress consider what are appropriate uses of helicopters in populated areas. While the concept of a "national air transportation system" requires that the airspace above a certain altitude be considered public domain, this concept cannot be extended to helicopter traffic without eventually seriously degrading the quality of life on the ground below. The airspace within hearing distance cannot be allowed to be a "free zone" in which the adverse consequences of activity are not proscribed -- when my neighbor drives on the public street in front of my house, he is not free to drive with "boom boxes" cranked up to a volume that disturbs me personally and causes my windows to vibrate.

Helicopter operations are entirely local, and do not constitute a "national system". Local jurisdictions -- cities and counties, or regional bodies -- should be permitted to establish controls over helicopter uses. However, policy decisions on permitted uses of the

airspace cannot be left to an administrative agency dedicated to promoting aviation, but must be imposed by the Congress, which is better able to weigh the public interest.

cc: Rep. Pete Stark, U.S. House of Representatives